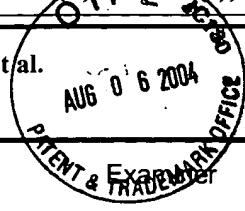


IFW

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
 (Under 37 CFR 1.97(b) & 1.97(c))

Docket No.  
 12073.5

In Re Application Of: **Michael J. Pratt et al.**



Application No.	Filing Date	Customer No.	Group Art Unit	Confirmation No.
10/824,894	April 15, 2004	Unassigned	21999	3636

**Title: ERGONOMIC ROCKER**

Address to:  
**Commissioner for Patents**  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

**37 CFR 1.97(b)**

- The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

**37 CFR 1.97(c)**

- The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:
  - the statement specified in 37 CFR 1.97(e);

**OR**

  - the fee set forth in 37 CFR 1.17(p).

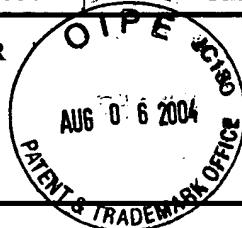
TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT  
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.  
12073.5

In Re Application: Michael J. Pratt et al.

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/824,894	April 15, 2004	Unassigned	21999	3636	7574

ERGONOMIC ROCKER



Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

A check in the amount of \_\_\_\_\_ is attached.

The Director is hereby authorized to charge and credit Deposit Account No. 500843 as described below.

Charge the amount of \_\_\_\_\_

Credit any overpayment.

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Certificate of Transmission by Facsimile\*

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. \_\_\_\_\_)

(Date)

Signature

Typed or Printed Name of Person Signing Certificate

\*This certificate may only be used if paying by deposit account.

Signature

Michael F. Krieger

Registration No. 35,232

KIRTON & McCONKIE

1800 Eagle Gate Tower

60 East South Temple

Salt Lake City, Utah 84111

Tel: (801) 328-3600

Fax: (801) 321-4893

CC:

Certificate of Mailing by First Class Mail

I certify that this document and fee is being deposited on Aug. 2, 2004 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature of Person Mailing Correspondence

Michael F. Krieger

Typed or Printed Name of Person Mailing Certificate

Dated: Aug. 2, 2004



PATENT APPLICATION  
Docket No: 12073.5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of )  
Michael J. Pratt et al. )  
Serial No.: 10/824,894 ) Art Unit  
Confirmation No.: 7574 ) 3636  
Filed: April 15, 2004 )  
For: ERGONOMIC ROCKER )

INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. § 1.97

Mail Stop: DD  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). While no representation is made that any of these references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record

believes that the enclosed art is the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

Pursuant to 37 C.F.R. § 1.491(b), since this application was filed after June 30, 2003, copies of all U.S. patents and U.S. patent application publications listed on the Form PTO-1449 are not being submitted. However, copies of all other documents are being submitted.

Please credit any over payment or charge any additional fees to Deposit Account No. 500843 of the undersigned.

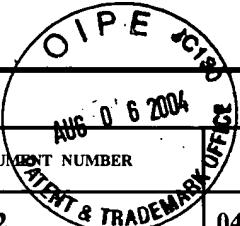
DATED this 2 day of August, 2004.

Respectfully submitted,

Michael F. Krieger  
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MFK:jrj

<b>INFORMATION DISCLOSURE CITATION</b> <i>(Use several sheets if necessary)</i>			Docket Number (Optional) <b>12073.5</b>		Application Number <b>10/824,894</b>		
			Applicant(s) <b>Michael J. Pratt et al.</b>				
			Filing Date <b>April 15, 2004</b>		Group Art Unit <b>3636</b>		
<b>U.S. PATENT DOCUMENTS</b>							
*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
1	4,200,332		04/29/80	Brauning	297	300.3	07/20/78
2	5,131,717		07/21/92	Kaminski et al.	297	316	09/28/90
3	5,261,723		11/16/93	Hosoe	297	344.14	07/27/92
<b>U.S. PATENT APPLICATION PUBLICATIONS</b>							
*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		None					
<b>FOREIGN PATENT DOCUMENTS</b>							
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation
		None					YES      NO
<b>OTHER DOCUMENTS</b> <i>(Including Author, Title, Date, Pertinent Pages, Etc.)</i>							
	4	BackSaver Innovative Designs in Back Care and Comfort; The Bone Store; <a href="http://annigibson.com/BoneStore/backsaver.html">http://annigibson.com/BoneStore/backsaver.html</a> 3 pgs; December 10, 2003					
	5	How to Make Comfortable Rocking Chairs; Gary Weeks & Company; <a href="http://www.garyweeks.com/rocking_chair_comfortable.htm">http://www.garyweeks.com/rocking_chair_comfortable.htm</a> 4 pgs; December 11, 2003					
EXAMINER				DATE CONSIDERED			
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							

## **INFORMATION DISCLOSURE CITATION**

(Use several sheets if necessary)

Docket Number (Optional) <b>12073.5</b>	Application Number <b>10/824,894</b>
Applicant(s) <b>Michael J. Pratt et al.</b>	
Filing Date <b>April 15, 2004</b>	Group Art Unit <b>3636</b>

*EXAMINER INITIAL	OTHER DOCUMENTS <i>(Including Author, Title, Date, Pertinent Pages, Etc.)</i>	
6	Natural Posture Ergonomics - Bodybilt; Ergo Customized Comfort; <a href="http://www.ergocomfort.com/seating/npe.htm">http://www.ergocomfort.com/seating/npe.htm</a> ; 1 pg; December 10, 2003	
7	Ultra Recliners; KD Klein Design Inc.; <a href="http://www.kleindesign.com/ultrarecliners.htm">http://www.kleindesign.com/ultrarecliners.htm</a> ; 2 pgs; December 10, 2003	
EXAMINER	DATE CONSIDERED	

**\*EXAMINER:** Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.